

U.S. PATENT AND TRADEMARK OFFICE; U.S. DEPARTMENT OF COMMERCE
 FORM PTO-1390 (Modified) (REV. 07-2004)

**TRANSMITTAL LETTER TO THE UNITED STATES
 DESIGNATED/ELECTED OFFICE (DO/EO/US)
 CONCERNING A SUBMISSION UNDER 35 U.S.C. 371**

ATTORNEY'S DOCKET NUMBER

Deep-7

U.S. APPLICATION NO. (If known, see 37 CFR 1.5)

Filed Herewith **10/519285**

INTERNATIONAL APPLICATION NO.
PCT/NZ2003/000132

INTERNATIONAL FILING DATE
25 June 2003

PRIORITY DATE CLAIMED
25 June 2002

TITLE OF INVENTION

**ENHANCED VIEWING EXPERIENCE OF A DISPLAY THROUGH A LOCALISED DYNAMIC CONTROL OF
 BACKGROUND LIGHTING LEVEL**

APPLICANT(S) FOR DO/EO/US

Evanicky, Daniel E.

Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:

1. ☒ This is a **FIRST** submission of items concerning a submission under 35 U.S.C. 371.
2. ☐ This is a **SECOND** or **SUBSEQUENT** submission of items concerning a submission under 35 U.S.C. 371.
3. ☒ This is an express request to begin national examination procedures (35 U.S.C. 371(f)). The submission must include items (5), (6), (9) and (24) indicated below.
4. ☒ The US has been elected (Article 31).
5. ☒ A copy of the International Application as filed (35 U.S.C. 371 (c) (2))
 - a. ☒ is attached hereto (required only if not communicated by the International Bureau).
 - b. ☐ has been communicated by the International Bureau.
 - c. ☐ is not required, as the application was filed in the United States Receiving Office (RO/US).
6. ☒ An English language translation of the International Application as filed (35 U.S.C. 371(c)(2)).
 - a. ☒ is attached hereto.
 - b. ☐ has been previously submitted under 35 U.S.C. 154(d)(4).
7. ☒ Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371 (c)(3))
 - a. ☐ are attached hereto (required only if not communicated by the International Bureau).
 - b. ☐ have been communicated by the International Bureau.
 - c. ☐ have not been made; however, the time limit for making such amendments has NOT expired.
 - d. ☒ have not been made and will not be made.
8. ☐ An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).
9. ☒ An oath or declaration of the inventor(s) (35 U.S.C. 371 (c)(4)). *(unexecuted)*
10. ☐ An English language translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371 (c)(5)).
11. ☒ A copy of the International Preliminary Examination Report (PCT/IPEA/409).
12. ☒ A copy of the International Search Report (PCT/ISA/210).

Items 13 to 23 below concern document(s) or information included:

13. ☐ An Information Disclosure Statement under 37 CFR 1.97 and 1.98.
14. ☐ An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.
15. ☐ A **FIRST** preliminary amendment.
16. ☐ A **SECOND** or **SUBSEQUENT** preliminary amendment.
17. ☐ A substitute specification.
18. ☐ A power of attorney and/or change of address letter.
19. ☐ A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 37 CFR 1.821 - 1.825.
20. ☐ A second copy of the published International Application under 35 U.S.C. 154(d)(4).
21. ☐ A second copy of the English language translation of the International Application under 35 U.S.C. 154(d)(4).
22. ☒ Express Mail Label No. **EV601183831US**
23. ☒ Other items or information:

Certificate of Express Mailing and Acknowledgment Postcard

U.S. APPLICATION NO. 10/519285 Filed Herewith		INTERNATIONAL APPLICATION NO. PCT/NZ2003/000132		ATTORNEY'S DOCKET NUMBER Deep-7	
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24. The following fees are submitted:				CALCULATIONS PTO USE ONLY	
BASIC NATIONAL FEE (37 CFR 1.492(a)(1)-(5)) :					
<input checked="" type="checkbox"/> Neither international preliminary examination fee (37 CFR 1.482) nor international search fee (37 CFR 1.445(a)(2)) paid to USPTO and International Search Report not prepared by the EPO or JPO				\$1110.00	
<input type="checkbox"/> International preliminary examination fee (37 CFR 1.482) not paid to USPTO but International Search Report prepared by the EPO or JPO				\$950.00	
<input type="checkbox"/> International preliminary examination fee (37 CFR 1.482) not paid to USPTO but international search fee (37 CFR 1.445(a)(2)) paid to USPTO				\$790.00	
<input type="checkbox"/> International preliminary examination fee (37 CFR 1.482) paid to USPTO but all claims did not satisfy provisions of PCT Article 33(1)-(4)				\$750.00	
<input type="checkbox"/> International preliminary examination fee (37 CFR 1.482) paid to USPTO and all claims satisfied provisions of PCT Article 33(1)-(4)				\$100.00	
ENTER APPROPRIATE BASIC FEE AMOUNT =				\$1,000.00	
Surcharge of \$130.00 for furnishing the oath or declaration later than _____ months from the earliest claimed priority date (37 CFR 1.492(e)). <input type="checkbox"/> 20 <input type="checkbox"/> 30				\$0.00	
CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE		
Total claims	10 - 20 =	0	x \$50.00	\$0.00	
Independent claims	5 - 3 =	2	x \$200.00	\$400.00	
Multiple Dependent Claims (check if applicable)			<input checked="" type="checkbox"/>	\$360.00	
TOTAL OF ABOVE CALCULATIONS =				\$1,760.00	
<input checked="" type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. The fees indicated above are reduced by 1/2.				\$880.00	
SUBTOTAL =				\$880.00	
Processing fee of \$130.00 for furnishing the English translation later than _____ months from the earliest claimed priority date (37 CFR 1.492(f)). <input type="checkbox"/> 20 <input type="checkbox"/> 30				\$0.00	
TOTAL NATIONAL FEE =				\$880.00	
Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31) (check if applicable).			<input type="checkbox"/>	\$0.00	
TOTAL FEES ENCLOSED =				\$880.00	
				Amount to be: refunded	\$
				charged	\$

a. ☐ A check in the amount of _____ to cover the above fees is enclosed.

b. ☒ Please charge my Deposit Account No. 50-2061 in the amount of \$880.00 to cover the above fees.

c. ☒ The Director is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. 50-2061

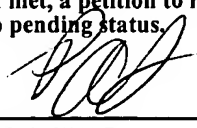
d. ☐ Fees are to be charged to a credit card. **WARNING:** Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

NOTE: Where an appropriate time limit under 37 CFR 1.494 or 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the International Application to pending status.

SEND ALL CORRESPONDENCE TO:

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 SIGNATURE
Paul A. Schwarz, Esq.
 NAME
37,577
 REGISTRATION NUMBER
December 27, 2004
 DATE

Deep-7

"EXPRESS MAIL CERTIFICATE"

"Express Mail" mailing label number: EV601183831US

Date of Deposit: December 27, 2004

Title of Invention: ENHANCED VIEWING EXPERIENCE OF A DISPLAY
THROUGH THE LOCALISED DYNAMIC CONTROL OF
BACKGROUND LIGHTING LEVEL

Inventor: Daniel E. Evanicky

Type of Documents:

1. Application Transmittal;
2. Application consisting of 23 pages of Specification, 3 pages of Claims and 3 pages of drawings;
3. Combined Declaration and Power of Attorney (unexecuted);
4. Copy of front page of PCT application as published;
5. International Search Report;
6. International Preliminary Examination Report;
7. Acknowledgment Postcard; and,
8. "Express Mail" Certificate.

I hereby certify that this paper and fee are being deposited with the United States Postal Service's "Express Mail Post Office to Addressee" service under 37 CFR §1.10 on the date indicated above and is addressed to Mail Stop PCT, Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450.


Cheryl L. Powell